

June 16, 2023

VIA ECF

The Honorable George C. Hanks Jr.
United States District Judge
United States Courthouse
515 Rusk Street, Room 6206
Houston, Texas 77002

Re: *In re Alta Mesa Resources, Inc. Securities Litigation*, Case No. 19-CV-00957

Dear Judge Hanks:

The Defendants submit this letter regarding Defendants' request for a 30-day extension of time to serve their answers to the complaints filed by the Alyeska and Orbis Plaintiffs (the "Direct Action Plaintiffs"). Defendants provided a draft of this letter to Direct Action Plaintiffs at 12:05 PM on Thursday, June 15, 2023. Direct Action Plaintiffs did not provide Defendants with a draft of their position. Defendants understand that Direct Action Plaintiffs will file their position separately. The Parties respectfully request a conference this week to resolve this issue in advance of Defendants' current answer date on Wednesday, June 21, 2023.

I. DEFENDANTS' POSITION

The Direct Action Plaintiffs' complaints are lengthy: Alyeska's complaint is 85 pages, contains 377 paragraphs, and 7 counts; Orbis' complaint is 109 pages, contains 465 paragraphs, and 8 counts. While the themes and subject matter of these Complaints are substantially similar to the Class Action, the allegations themselves are different and providing detailed answers to each paragraph as required by the Federal Rules requires considerable legal analysis and review by each of the 19 Defendants. The Direct Action Plaintiffs also challenge different statements and raise different claims than the Class Action. Pursuant to F.R.C.P. 12(a)(4)(A), Defendants' current answer date is June 21, 2023—14 days after this Court's denial of their motions to dismiss "without prejudice to being reasserted as motions for summary judgment." See ECF No. 343. Defendants simply require more time to complete the required work. Rather than agree to this request as a matter of professional courtesy (indeed, counsel for the Direct Action Plaintiffs could not articulate any prejudice by the requested extension), the Direct Action Plaintiffs refused unless Defendants agreed to their request to deconsolidate their cases from the Class Action, to extend the agreed-upon case schedule for two months, and to excuse their willful failure to comply with their discovery obligations (which include failing to appear for properly noticed depositions, to serve initial disclosures, and to produce documents). Understandably, Defendants were unwilling to agree; especially since the Direct Action Plaintiffs have actively been taking discovery from Defendants and third-parties for more than six months. Defendants thus respectfully seek relief from the Court and request an additional 30 days until July 21, 2023 to answer both complaints.¹

¹ On June 14, 2023, counsel Christian Word and Heather Waller conferred via email and telephone with Matt Peller, counsel for the Direct Action Plaintiffs.

II. CLASS PLAINTIFFS' POSITION

The Class Plaintiffs take no position regarding defendants' deadline to answer the individual action complaints.

Respectfully submitted,

/s/ J. Christian Word

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